

Senate Bill 304

By: Senators Stoner of the 6th, Grant of the 25th, Golden of the 8th, Thomas of the 54th ,
Adelman of the 42nd and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 2 of Title 31 of the Official Code of Georgia Annotated, relating to the
2 Department of Human Resources, so as to provide for the submission of data relating to an
3 individual's employer for applicants and their dependents receiving health care benefits
4 under any state funded or administered health care program; to provide that the Department
5 of Human Resources submit an annual report to the General Assembly regarding the data
6 relating to the employers; to provide that the report shall be available to any member of the
7 public upon request; to provide for related matters; to repeal conflicting laws; and for other
8 purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Chapter 2 of Title 31 of the Official Code of Georgia Annotated, relating to the Department
12 of Human Resources, is amended by adding a new Code section to the end of such chapter
13 to read as follows:

14 "31-2-10.

15 (a) Any individual who files an application for health care benefits for himself or herself
16 or for his or her dependents under any state funded or administered health care program
17 and any individual requesting uncompensated care in a hospital shall identify his or her
18 employer or employers. In the event such individual is unemployed, he or she shall
19 identify the employer or employers of any adult who is responsible for providing all or
20 some of the individual's support.

21 (b) The department shall collect such information and, on or before October 1 of each
22 year, the department shall transmit a report to the General Assembly which includes all
23 employers identified pursuant to subsection (a) of this Code section who employ 25 or
24 more public health care recipients. In determining whether an employer has 25 or more
25 public health care recipients, the department shall include all public health care recipients
26 employed by the employer and its subsidiaries at all locations within the state. The report

1 shall include each employer's name, address, the total number of each employer's
2 employees and their dependents who are enrolled in any program described in subsection
3 (a) of this Code section, and the total cost to this state in providing public health care
4 benefits for such employees and their dependents. The report shall not include the name
5 of any individual public health care recipient and shall be subject to privacy standards
6 pursuant to the federal Health Insurance Portability and Accountability Act of 1996,
7 P.L.104-191.

8 (c) The department shall make the report provided for in subsection (b) of this Code
9 section available to any member of the public upon request and shall provide such
10 information in accordance with Article 4 of Chapter 18 of Title 50, relating to open
11 records."

12 **SECTION 2.**

13 All laws and parts of laws in conflict with this Act are repealed.